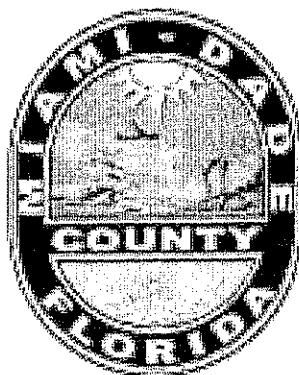


Miami-Dade County

Stephen P. Clark Government Center
111 N.W. 1st Street
Miami, Fl. 33128



LEGISLATIVE ANALYSIS

Thursday, June 17, 2004
9:30 AM
Commission Chambers

Board of County Commissioners

Budget and Finance Committee

Budget & Finance ITEM 2(A), 2(B), 2(C)

June 17, 2004

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION CREATING AND ESTABLISHING THE FISHER ISLAND AREA MUNICIPAL ADVISORY COMMITTEE AND SETTING FORTH ITS DUTIES; DIRECTING COUNTY STAFF TO PREPARE A STUDY OF THE POSSIBLE CREATION OF A NEW MUNICIPALITY IN THE AREA OF MIAMI-DADE COUNTY

Commissioner Bruno A. Barreiro

ORDINANCE CREATING AND ESTABLISHING THE GOULDS AREA MUNICIPAL ADVISORY COMMITTEE; DIRECTING STAFF TO PREPARE A STUDY OF THE POSSIBLE CREATION OF A NEW MUNICIPALITY IN THE AREA OF GOULDS ; PROVIDING WAIVER OF SECTION 2-11.37(C) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

Commissioner Dennis C. Moss

ORDINANCE CREATING AND ESTABLISHING THE PLANT (PRINCETON, LEISURE CITY AND NARANJA) AREA MUNICIPAL ADVISORY COMMITTEE; DIRECTING STAFF TO PREPARE A STUDY OF THE POSSIBLE CREATION OF A NEW MUNICIPALITY IN THE PLANT AREA; PROVIDING WAIVER OF SECTIONS 2-11.37(C) AND 2-11.38 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

Commissioner Dennis C. Moss

I. SUMMARY

Municipal Advisory Committees (MAC) are established by Resolution to allow residents to study the ability to incorporate. The MAC shall prepare and submit an advisory report. If the MAC is unable to complete its work in one (1) year, then an ordinance must be passed to allow for its extension.

II. PRESENT SITUATION

The Fisher Island Area MAC would be **created** if the resolution is passed.

The Goulds Area MAC and the PLANT (Princeton, Leisure City and Naranja) Area MAC would be **extended** if the corresponding ordinances are passed.

III. POLICY CHANGE AND IMPLICATION

N/A

IV. ECONOMIC IMPACT

Budget & Finance ITEM 2(A), 2(B), 2(C)

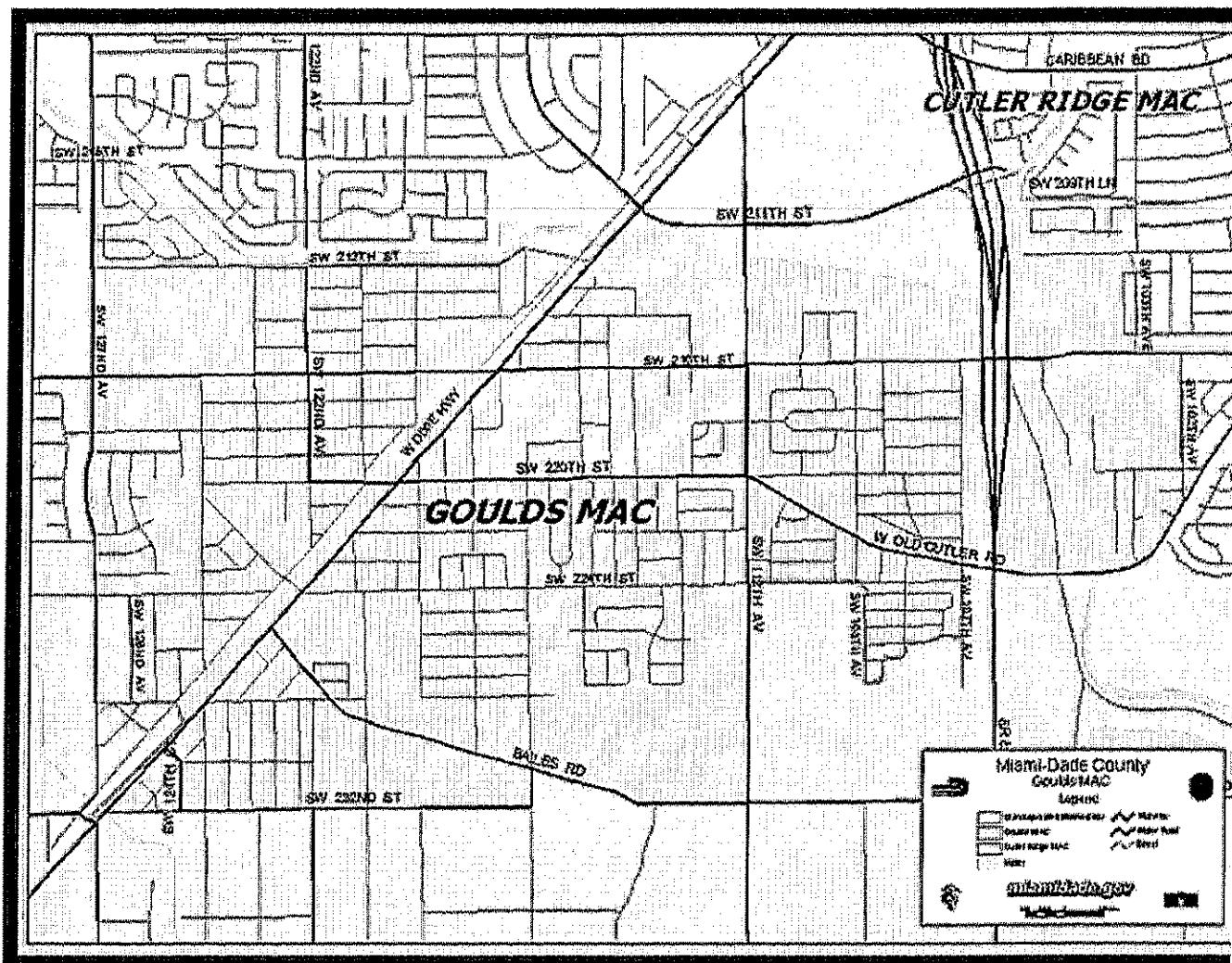
June 17, 2004

The Manager states that no Fiscal Impact will be incurred by the County from the MAC process. It should be noted that the FY 03-04 Operating Budget for Annexation and Incorporation was \$816,000 with 6 total positions. The Office of Strategic Management and Budget has an Incorporation, Annexation and Municipal Support Group which provides support to the MACs.

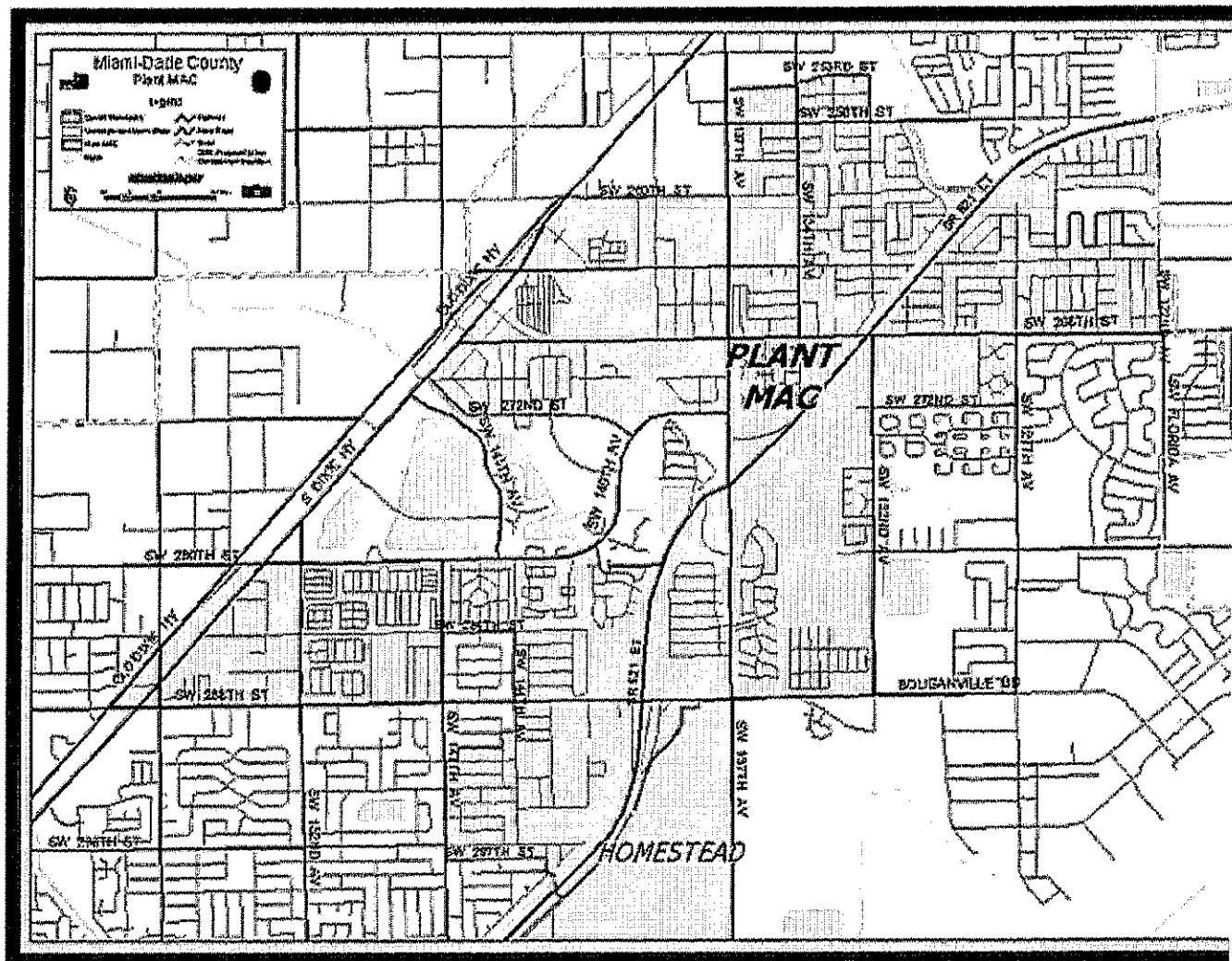
V. COMMENTS AND QUESTIONS

None.

Attachment #1



Attachment #2



Budget & Finance ITEM 2(D)

June 17, 2004

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION APPROVING INTERLOCAL AGREEMENT WITH CITY OF CORAL GABLES HEALTH FACILITIES AUTHORITY AND AUTHORIZING ITS EXECUTION AND DELIVERY BY COUNTY MANAGER OR HIS DESIGNEE; APPROVING ISSUANCE AND SALE BY SUCH AUTHORITY OF ITS REVENUE BONDS IN AMOUNT NOT TO EXCEED \$170,000,000 ON BEHALF OF BAPTIST HEALTH SOUTH FLORIDA, INC., BAPTIST HOSPITAL OF MIAMI, INC., SOUTH MIAMI HOSPITAL, INC. AND HOMESTEAD HOSPITAL, INC., AS REQUIRED BY SECTION 147(F) OF THE INTERNAL REVENUE CODE, AS AMENDED; AND PROVIDING FOR OTHER RELATED MATTERS

Commissioner Jimmy L. Morales

I. SUMMARY

This Resolution is an Interlocal Agreement which would allow the issuance of Florida Industrial Development Financing Bonds in an amount not to exceed \$170,000,000. The issuance of the Bond will be guaranteed by the Revenues of the City of Coral Gables Health Facilities Authority and shall not be the responsibility of Miami-Dade County.

II. PRESENT SITUATION

The City of Coral Gables Health Facilities Authority is requesting to issue Revenue Bonds on behalf of Baptist Health South Florida, Inc., Baptist Hospital of Miami, Inc., South Miami Hospital, Inc. and Homestead Hospital, Inc. in an amount not to exceed \$170,000,000.

III. POLICY CHANGE AND IMPLICATION

N/A

IV. ECONOMIC IMPACT

The issuance of these Revenue Bonds will have no Fiscal Impact to Miami-Dade County with respect to liability. It should be noted that the Revenue Bonds are being issued and will be spent to improve Miami-Dade's Hospital Facilities.

V. COMMENTS AND QUESTIONS

None.

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION AMENDING RESOLUTION NO. R-472-00 AND RESOLUTION NO. R-302-04, TO PROVIDE THAT CLAIMS PAYING ABILITY RATING, AND FINANCIAL STRENGTH RATING, RESPECTIVELY, OF THE GUARANTOR OF THE OBLIGATION OF RICE FINANCIAL PRODUCTS COMPANY AS COUNTERPARTY TO THE COUNTY UNDER CERTAIN INTEREST RATE SWAPS MUST BE AAA FROM STANDARD & POOR RATINGS SERVICE AND AAA FROM MOODY'S INVESTOR SERVICE, INC. AND TO REVISE THE FINANCIAL TERMS OF THE NEW INTEREST RATE SWAPS

I. SUMMARY

This resolution amends the minimum ratings necessary of the guarantor for Rice Financial Products Company. It also eliminates the upfront payment and increases the minimum acceptable constant.

II. PRESENT SITUATION

On May 9, 2000, the County entered into two interest rate swaps with Rice Financial Products Company. Since entering this agreement, the County has realized debt service savings of approximately \$16 million. On March 16, 2004 at the request of Rice Financial Products Company, the Board passed a resolution increasing the notional amount of the Swaps.

III. POLICY CHANGE AND IMPLICATION

This resolution will change the minimum credit ratings required for AMBAC, the guarantor of the Counterparty. The current agreement requires that AMBAC maintain a rating of no less than AAA from S&P and Aaa from Moody's as to the senior long term debt obligations credit ratings. The County has been informed AMBAC does not have senior long term debt obligation ratings. They do however have an S&P AAA rating for its claim paying ability and a Moody's Aaa rating for its financial strength. In light of this, the agreement will be amended to now require that the guarantor of the counterparty in the swaps have a claim paying ability of AAA from S&P and a financial strength rating of not less than Aaa from Moody's at the time of closing of the increased swap transaction. The current agreement also requires an upfront payment of at least \$5,000,000 and a reduced constant of no less than 1.50%. The payment is no longer feasible due to a change in the guarantor's business practices. To account for this the constant shall be priced at market as determined by Swap Financial Group LLC, the Counties financial advisor, but no less than 1.65343%.

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IV. ECONOMIC IMPACT

The County will no longer be receiving a \$5,000,000 upfront payment as stipulated in the current agreement. To offset this, the constant will be increased to no lower than 1.65343%. At current rates, this increase in the constant equates to the County receiving an additional \$8.9 million in present day dollars over the life of this agreement.

V. COMMENTS AND QUESTIONS

None

Budget & Finance Committee Agenda Item 3(F)

Bid#	Title (Description)	Contract Allocation Item	Contract Term	Measures	BCC Action	Notes
Award of Competitive Bids						
3143-0/09	Gasoline and Diesel Fuel (purchase fuel for use in County motor vehicles and buses)	\$185M (estimated) (\$370,000 reserve)	5 years	Insufficient availability	Approve award to 9 vendors	Prequalification of vendors only. Weekly awards made to lowest bidder on an item by item basis. No guarantee that a pre-qualified firm will be awarded a purchase order.
Contract Modifications						
RFP149-2	Integrated Pest Management (pest control services)	\$986K (current)	Expires July 31, 2004 (current)	n/a	Approve increase in spending authority	Increase allocation 15.7% to \$1.1M and extend term 3 months to Oct. 31, 2004 with existing vendor (El Toro Exterminator of Florida). New contract expected to be awarded in Sept. 2004. Delay of award due to time needed to prepare technical specifications for Aviation.
Purchases made under competitively awarded contracts of other governmental entities						
600-760-00-1	Mail Processing Equipment (maintenance of WASD's mail management system)	\$1.92M (current)	Expires Feb. 20, 2005	n/a	Approve increase in spending authority	Increase allocation 5.5% to \$2.02M with existing vendor (Pitney Bowes, Inc.) for WASD under State of Florida contract. Maintenance costs were higher than anticipated.
Request to Advertise for Bids						
RQPM0400092	Shoes and Boots, Safety (purchase of various safety shoes and boots)	\$1.43M (estimated)	1 year and 4 one-year OTR	Insufficient availability	Approve issue and advertisement of bid	Award to one low responsive bidder for each item on an item-by-item basis for 26 manufacturers.

Overview of Budget and Finance Committee 6-17-04 Agenda Items F and G

Bid#	Title (Description)	Contract Allocation	Contract Term	Measures	BCC Action	Notes*
Request to Advertise for Bids [continued]						
RQPM0400179	Meat, Poultry, Dairy, Frozen and Misc. Products, Pre-qualification of Vendors (purchase of these types of items)	\$5.48M (estimated) (\$5.2M; Human Services \$237K; Park & Recreation \$40K)	2 years and 3 one-year OTR	Insufficient availability	Approve issue and advertisement of bid	Prequalification of vendors only. Award every 3 months on an item-by-item basis at the lowest fixed price.
RQPM0400181	Groceries, Prequalification of Vendors (purchase of these types of items)	\$4.52M (estimated) (\$4.07M; Human Services \$358K; Park & Recreation \$40K; Solid Waste Mgt \$54K estimated)	2 years and 3 one-year OTR	Insufficient availability	Approve issue and advertisement of bid	Prequalification of vendors only. Award every 3 months on an item-by-item basis at the lowest fixed price.
RQTD0400020	Cellular Equipment and Services, Pre-qualification of vendors (purchase cellular equipment and services)	\$5.5M (estimated)	2 years and 8 one-year OTR	Insufficient availability	Approve issue and advertisement of bid	Prequalification of vendors only. No guarantee that a pre-qualified firm will be awarded a purchase order. Additional vendors will be added to the pool who meet minimum qualifications.

Overview of Budget and Finance Committee 6-17-04 Agenda Items F and G

Bid#	Title (Description)	Contract Allocation	Contract Term	Measure	BCC Action	Notes
RQWS0400004	Electrical Power Generators and Pumping Systems ...and Preventative Maintenance Services (Inspection, testing, and preventative maintenance services)	\$6M (estimated)	2 years and 3 one-year OTR	Insufficient availability	Approve issue and advertisement of bid	Consolidation of two former sole source contracts. Award to lowest responsible, responsive bidder by manufacturer.
RQWS0400027	Original Equipment Manufacturer (OEM) or Equal Replacement Units, Parts and Repair Services for Water and Wastewater Liquid-Solid Separation and Agitation (purchase these items)	\$4.03M (estimated)	2 years and 3 one-year OTR	Insufficient availability	Approve issue and advertisement of bid	Consolidation of 1 former bid waiver and 11 former sole source contracts. Prequalification of vendors only. No guarantee that a pre-qualified firm will be awarded a purchase order.

Overview of Budget and Finance Committee 6-17-04 Agenda Items F and G

Budget & Finance Committee Agenda Item 3(G)

Bid#	Title (Description)	Contract Allocation	Contract Term	Measures	BCC Action	Notes*
Bid Waivers						
BW7571-2/08	Closed Circuit TV Inspection System Repair Services and OEM Replacement Parts (repair services and OEM parts)	\$850K (estimated)	2 years and 2 one-year OTR	Insufficient availability	Authorize bid waiver and award to current vendor	Due to the proprietary nature of WASD's existing Closed Circuit TV pipeline inspection system, no other vendors except the current vendor (Cues, Inc.) are equipped to provide parts/repairs to the system. Department of Procurement Management negotiated with more favorable terms than the current contract.
Emergency Purchases						
E7568-0/04	Mobile Fuel Delivery (supply and deliver fuel to the landfill sites for Solid Waste equipment)	\$290K (estimated)	Feb. 13 to July 13, 2004 (6 months)	Insufficient availability	Authorize retroactive and ongoing emergency purchase	Retroactive authorization and allocation until a replacement contract is in place (expected on July 14, 2004).
E7630-0/04-LW	Janitorial Services (at certain County facilities)	\$280K (estimated)	May 1 - Sept. 30, 2004 (5 months)	BBE set aside	Authorize retroactive and ongoing emergency purchase	Retroactive authorization and allocation until a replacement contract is in place (expected in Sept. 30, 2004). The original contract expired on April 30, 2004, but it took more time than anticipated to prepare a new contract, and the new contract will not be in place until Oct. 2004. For the interim period, the departments negotiated with the lowest bidder under the new contract and received the new competitively bid prices.

Overview of Budget and Finance Committee 6-17-04 Agenda Items F and G

Bid#	Title (Description)	Contract Allocation Term	Contract Measures	BCC Action	Notes*
E7631-0/04-LW	Janitorial Services (at certain County facilities)	\$550K (estimated) May 1 - Sept. 30, 2004 (5 months)	BBE Bid Preference	Authorize retroactive and ongoing emergency purchase	Retroactive authorization and allocation until a replacement contract is in place (expected in Sept. 30, 2004). The original contract expired on April 30, 2004, but it took more time than anticipated to prepare a new contract, and the new contract will not be in place until Oct. 2004. For the interim period, the departments negotiated with the lowest bidder under the new contract and received the new competitively bid prices.
Non-Competitive Contract Modifications					
BW6103-4/07-2	G.R.E.A.T. Promotional Items, Youth Program (purchase of these items)	\$99.5K (current)	Expires June 30, 2005	n/a	Approve increase in spending authority
SS6218-2/04-2	Microwave Data System Radio Equipment Parts and Repairs (for WASD)	\$505K (current)	Expires July 31, 2004 (current)	n/a	Approve increase in spending authority and time vendors to provide "equal to" and/or aftermarket parts and services.
6539-2/04-2	Quicklime	\$1.94M (current)	Expires Nov. 30, 2004	n/a	Approve increase in spending authority
SS6591-2/04	Process Control System (SCADA)	\$1.7M (current)	Expires July 31, 2004 (current)	n/a	Approve increase in spending authority and time vendors to provide "equal to" and/or aftermarket parts and services.

Overview of Budget and Finance Committee 6-17-04 Agenda Items F and G

Bid#	Title (Description)	Contract Allocation(s)	Contract Item	Measures	BCC Action	Notes*
SS7054-0/07	Original Equipment Manufacturer (OEM) Replacement Parts "Steco" Brand Transfer Trailers	\$99.5K (current)	Expires Jan. 31, 2007	n/a	Approve increase in spending authority	Increase allocation 20.1% to \$119.5K with existing vendor (Blue Tee Corp. d/b/a Steco, Inc.). This is presently a sole source contract, but Fleet Management Division (GSA) will be issuing a competitive bid Oct. 2004 to see if better pricing can be achieved.
CP1798-CR	Victim Information/Notification Program (VINE) (provide services under this program)	\$126K (actual)	July 1, 2002 to March 31, 2004	n/a	Approve payment of outstanding VINE invoices	Per Florida Statute, victims of crimes must be provided with the status of convicted offenders. The State Attorney's Office absorbed the cost in the past, but now outstanding invoices

Questions to Department of Procurement Management (response not available by printing time)

Budget & Finance Agenda Item 3(F)

Item 4.1 Mail Processing Equipment

- When it says "borrowed \$40K", does this only refer to borrowing from another department's allocation?
- Is there any reason why WASD had higher than budgeted maintenance costs, but the other user departments were able to stay within their allocation?

Item 5.1 Shoes and Boots

- Will we get a fixed price (or lower price) over the possible 5 year contract?

Item 5.2 and 5.3 Meat, Poultry, etc. and Groceries

- What was the review committee's rationale that there is insufficient availability for any measures to be applied? Has any market research been done to see if there are minority vendors out there that can sell these products at the volume required?
- What types of products does Metrozoo purchase for animals under these contracts? Would it be more appropriate/cheaper to purchase products from an animal feed type of wholesaler?
- As specified in other contracts, was the statement that "there is no guarantee that a pre-qualified firm will receive purchase orders" just inadvertently left out of the descriptions?

Item 5.4 Cellular Equipment and Services

- Given the rapidly changing cellular market, is it in the best interest to have a possible ten year contract (8 one-year OTRs)?

Item 5.5 Electrical Power Generators, etc.

- The review committee met in Jan 2004 on this item. What accounted for the delay to request advertisement of this bid?

Budget & Finance Item 3(G)

Item 6.1 GREAT Promotional Items

- Is this entirely paid for by the Byrne Grant?
- The item description says that the department will solicit price quotations from all 3 vendors, but no specification that award will be made to the lowest responsible, responsive bidder?

Item 6.2 and 6.4 SCADA

- Do "equal to" and/or aftermarket parts and services meet the requirements of regulatory agencies and consent decrees/mandates that the systems are "upgraded to the highest degree"? Is a substantial amount of money saved by using non-OEM parts?
- For both, the increase in allocation is greater than the existing allocation. What contract term do the existing allocations cover?
- If not 6 months, how were the amounts of the increased allocations determined?

Item 6.3 Quicklime

- Due to the problems with the new shakers and feeders, is WASD getting any mitigation costs from the manufacturers/contractors/consultants for having to buy quicklime?

Item 6.5 OEM parts for Steco Brand Transfer Trailers

- What are transfer trailers?
- Is this trend (increased usage and maintenance) expected to continue? Would it be better to shorten the useful life of these trailers if the maintenance costs are so high and/or increasing?

Item 7.1 VINE program

- If the State mandates the service be provided, can the State Attorney's Office choose not to provide the service?
- Is this the only vendor for the service? What programs do other jurisdictions use and do they pay comparable prices for the service?
- What is the estimated annual cost of this service and has Corrections budgeted for it?

Budget & Finance Committee Item 3(H)

June 17, 2004

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION AUTHORIZING EXECUTION OF A SUPPLEMENTAL AGREEMENT WITH THE SUPERLATIVE GROUP, INC., TO OBTAIN CONSULTING SERVICES IN CONNECTION WITH THE COUNTY'S SPONSORSHIP PROGRAM, AUTHORIZING THE COUNTY MANAGER TO EXECUTE AN AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN CONTRACT NO. 271 S.A. NO. 2

Procurement Management Department

I. SUMMARY

This resolution authorizes execution of Supplemental Agreement No. 2 to Contract No. 271 *Corporate Sponsorship Program* with The Superlative Group to provide consulting services in the negotiation of naming rights for the South Miami-Dade Cultural Center.

II. PRESENT SITUATION

The County awarded a consultant services contract in June 2001 to The Superlative Group to develop a corporate sponsorship program and policies for same. The contract provided an option for The Superlative Group to assist in developing solicitations and participating in negotiations if a sponsorship program was pursued.

At the time the first supplemental agreement was approved, it was reported that:

- Commissions for this type of agreement typically range from 10 to 35%.
- For comparable agreements to the County's, The Superlative Group reported that they were receiving commissions from 8% to 40% under a graduated scale.

The Office of Strategic Business Management indicates that they have done market research and a 10% commission rate, as proposed under this Second Supplemental Agreement, is "reasonable" and "at the low end of the commission market range."

III. POLICY CHANGE AND IMPLICATION

The Superlative Group would provide specialized expertise and resources not currently available in-house in securing naming rights for the South Miami-Dade Cultural Center, which is scheduled to be under construction during 2004. As part of the services to be provided, they will assist in the development of a marketing approach, as well as assist in the evaluation of potential sponsors and in contract negotiations.

IV. ECONOMIC IMPACT

For this Agreement, The Superlative Group would be compensated as follows:

- 1) A monthly retainer of \$5,000 for each of 12 months, with the option (at the County's discretion) to extend for an additional 12 months. Retainer payments would cease once there is a signed sponsorship agreement; and
- 2) A ten percent (10%) commission rate on the *total value* of an executed naming rights contract; and

Budget & Finance Committee Item 3(H)

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- 3) Reimbursement of out-of-pocket expenses not to exceed \$15,000 for the life of this Agreement. Expenses could include travel costs and travel-related expenses, which would be reimbursed at amounts pursuant to state statute. Any expenses incurred in any extended term will be determined and agreed to by the County.

V. COMMENTS AND QUESTIONS

Naming rights is just one way municipalities are turning to as an alternative form of raising revenues without raising taxes, thus providing new funding for programs and services that cities and counties can provide to their residents.

The Superlative Group is based in Cleveland, OH. It is anticipated that one to two Superlative executives may make one monthly visit to Miami-Dade County for work on this project. According to their biographies and the company's website, Superlative executives have brokered naming rights to many large municipalities and corporations (see attached). *While the compensation terms (10% of the total value of the naming rights contract) encourages the consultant to get the best deal it can for the County, it is important to partner with an appropriate sponsor, even if it does not yield the greatest return.*

Questions

Has a timeline been identified regarding how long each phase (marketing, negotiating, etc.) will take and when a contract can expected to be in place? Have any corporations already expressed interest? How will the Board remain informed about the status of this work and be aware of potential/interested sponsors?

Has the potential value of the naming rights been identified? As the contract is written, there is no cap on what the Consultant can make on commission or how long they can receive commissions.

Out-of-pocket expenses reimbursement will come from an allocation remaining under Contract No. 271. What is the funding source of the retainer payments (\$60,000 for a 12 month period) and has it been budgeted?

Meet Some of Our Superlative Clients

The Superlative Group has gained successful marketing results for municipalities and corporate clients since the company's inception in 1994. Here are just a few:

- Procter & Gamble
- Cedar Fair/Cedar Point
- General Motors
- The Cincinnati Reds
- Universal Studios Entertainment
- Miami-Dade County, FL
- City of Tacoma WA
- Royal Appliance Manufacturing
- Henkel Consumer Adhesives
- Saint Louis University
- Xavier University
- National Association of College Stores
- CoreComm
- City of Midland TX
- Cleveland Clinic Foundation
- Medical Mutual of Ohio
- First Energy
- The University of Cincinnati
- John Carroll University
- University of Akron
- Detroit AAU
- NFL Players Inc. Golf Tournament
- Major League Baseball Golf Invitational